

In the Matter  
of  
Taxation of the Orange County  
Industrial Development Agency

STATE OF NEW YORK                     )  
  :    ss.:  
COUNTY OF NEW YORK                 )

RUSSELL E. GAENZLE, being duly sworn, deposes and says:

1.       That I am an attorney-at-law duly licensed in the State of New York and am a member of the firm Harris Beach PLLC, transaction counsel to the Orange County Industrial Development Agency (the "Agency").

2.       That the Agency, a corporate governmental agency constituting a body corporate and politic and a public benefit corporation of the State of New York, was established by Chapter 1030 of the 1969 Laws of the State of New York, constituting Title I of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended, and Chapter 390 of the 1972 Laws of the State of New York, as amended (collectively the "Act").

3.       That on or about June 15, 2006, the Agency will issue its \$3,635,000 Civic Facility Revenue Bonds (Special Needs Facilities Pooled Program), Series 2006G-1 and \$220,000 Civic Facility Revenue Bonds (Special Needs Facilities Pooled Program), Series 2006G-2 (Federally Taxable) (collectively, the "Series 2006G Bonds") to finance or refinance a portion of the cost of the acquisition, construction, equipping and furnishing of certain civic facilities (collectively, the "Facility") within Orange County for Crystal Run Village, Inc. ("CRVI") (the "Participant"), all for the provision of services to people with developmental disabilities or other special needs.

4.       That simultaneously with the issuance of the Series 2006G Bonds, CRVI will enter into a Company Lease Agreement, dated as of June 1, 2006, with the Agency, pursuant to which the Participant will lease the Facility to the Agency (the "Company Lease").

5.       That simultaneously therewith, CRVI will enter into an Installment Sale Agreement, dated as of June 1, 2006, with the Agency (the "Installment Sale Agreement"), pursuant to which the Agency will sell its leasehold interest in the Facility to the Participant in consideration for the payment by the Participant of installment purchase payments sufficient to pay the principal and interest on the Series 2006G Bonds.

6. That simultaneously therewith, the Agency will enter into an Indenture of Trust, dated as of June 1, 2006 (the "Indenture"), with The Bank of New York, as trustee (the "Trustee"), pursuant to the terms of which the Agency will pledge and assign to the Trustee substantially all the installment purchase payments, revenues and receipts received by the Agency from the sale of its leasehold interest in the Facility to secure the payment of principal of and interest on the Series 2006G Bonds.

7. That simultaneously therewith, to secure payment of the Series 2006G Bonds, and of certain amounts owed by the Participant to the Bond Insurer (as referred to below), the Agency and the Participant will grant mortgages on a portion of the Facility pursuant to an Agency Mortgage and Security Agreement, dated as of June 1, 2006, from the Agency and CRVI to the Trustee and ACA Financial Guaranty Corporation (the "Bond Insurer") (such mortgage hereinafter referred to as the "Agency Mortgage").

8. That pursuant to Section 874 of the Act, the Agency is regarded as performing a governmental function and is required to pay no taxes or assessments upon any of the property acquired by it or under its jurisdiction or control or supervision or upon its activities.

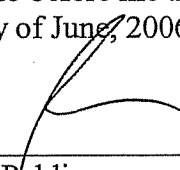
9. That pursuant to the provisions of Section 8017 of the Civil Practice Law and Rules of the State of New York, no clerk shall charge or collect a fee for filing, recording or indexing any paper, documents, map or proceeding filed, recorded or indexed for the county, or an Agency or officer thereof acting in an official capacity.

10. That pursuant to the provisions of Section 8019(d) of the Civil Practice Law and Rules of the State of New York, no clerk of Orange County, New York shall charge or receive any fee from Orange County, New York or the State of New York, or from any Agency or officer thereof acting in an official capacity.

11. I hereby submit that no mortgage tax or other tax or fee for filing, recording or indexing should be imposed in connection with the filing and recording of the Company Lease, the Installment Sale Agreement, the Agency Mortgage and the Indenture hereinbefore described.

  
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 RUSSELL E. GAENZLE, ESQ.

Sworn to before me this  
 13<sup>th</sup> day of June, 2006.

  
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 Notary Public

AMY C. ABBINK  
 Notary Public, State of New York  
 No. 01AB5057993  
 Qualified in Monroe County 2010  
 Commission Expires April 1, \_\_\_\_\_

**DESCRIPTION OF FACILITY REALTY**

**Description of Corbett Road Facility Realty**

**SECTION 19 BLOCK 2 LOT 72.32 ON THE TAX MAP OF ORANGE COUNTY**

ALL that plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Montgomery, Orange County, New York, bounded and described as follows:

BEGINNING at a iron pipe found in the easterly line of Corbett Road, said point being in the division line between lands now or formerly Malley on the west, Liber 2068 Page 223, and lands to be conveyed to Crystal Run Village, Inc. on the east, and

RUNNING THENCE the following courses and distance along lands now or formerly Malley:

1. North 51 degrees 10 minutes 52 seconds East 3.02 feet to an iron pipe found, for a total distance of 213.69 feet to a survey cap found;
2. THENCE North 39 degrees 03 minutes 25 seconds West 190.00 feet to an iron rod found;
3. THENCE South 51 degrees 14 minutes 40 seconds West 58.53 feet to an iron found in lands now or formerly Parlman, Thomas, Liber 4420 Page 114 and Liber 4400 Page 96;
4. THENCE along land now or formerly Parlman, Thomas North 31 degrees 14 minutes 43 seconds West 295.44 feet to an iron pipe found in lands now or formerly Dana, Liber 3626 Page 325;
5. THENCE along land now or formerly Dana North 79 degrees 49 minutes 10 seconds East 872.62 feet to a point in a stone wall in lands now or formerly Wagner, Liber 4989 Page 248;
6. THENCE along now or formerly Wagner South 15 degrees 25 minutes 50 seconds East 239.00 feet to a point;
7. THENCE still along the aforementioned South 11 degrees 10 minutes 50 seconds East 10.66 feet to a survey cap found in a rock wall in lands now or

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## DESCRIPTION OF FACILITY REALTY

### **Description of Corbett Road Facility Realty (continued)**

formerly Joyce, Liber 5267 Page 329;

8. ~~THENCE along now or formerly Joyce, lands now or formerly Calani, Liber 5365 Page 32, and lands now or formerly Brenner, Liber 3939 Page 163, South 58 degrees 33 minutes 46 seconds West through an iron rod found at 281.06 feet, a survey cap found at 281.06, and a survey cap found at 92.52 feet, for a total distance 654.64;~~

9. THENCE along lands now or formerly Brenner South 51 degrees 10 minutes 52 seconds West 210.00 feet to a survey cap in the easterly line of Corbett Road;

10. THENCE along the easterly line of Corbett Road North 38 degrees 55 minutes 09 seconds West 80.00 feet to the BEGINNING POINT.

REFERENCE: Being Lot No. 7 shown on map entitled, "Survey and Subdivision Map of Lands of William H. Collier and William H. Collier III" filed in Orange County Clerk's Office December 16, 1994, Map No. 222-94.

Excepting, therefrom so much as was conveyed by deed dated 3/2/04 recorded 3/11/04 in Liber 11418 Page 1017.

**Description of Carter Road Facility Realty**

**SECTION 25 BLOCK 1 LOT 3.33 ON THE TAX MAP OF ORANGE COUNTY**

ALL that plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Wawayanda, Orange County, New York, bounded and described as follows:

BEGINNING at an iron rod found in the southerly line of Carter Road, said point being in the division line between lands now or formerly Fehr on the west (Lot 2) Liber 4907 Page 34, and lands to be conveyed to Crystal Run Village, Inc., on the east (Lot 3), and

RUNNING THENCE along the southerly line of Carter Road North 66 degrees 01 minute 57 seconds East 100.00 feet to a point in lands now or formerly Ratajczak, Liber 4967 Page 123;

THENCE along lands now or formerly Ratajczak South 23 degrees 48 minutes 10 seconds East 398.45 feet to an iron rod found in lands now or formerly Marion Properties, Inc., Liber 2910 Page 24;

THENCE along lands now or formerly Marion Properties, Inc., South 68 degrees 05 minutes 00 seconds West 200.00 to an iron rod found in lands now or formerly Fehr;

THENCE along lands now or formerly Fehr North 35 degrees 46 minutes 21 seconds West 312.00 to a point;

THENCE still along the aforementioned North 38 degrees 29 minutes 16 seconds 185.92 feet to the BEGINNING POINT.

REFERENCE: Being Lot No. 3 shown on map entitled, "4 Lot Minor Subdivision for Marion Properties, Inc. filed in Orange County Clerk's Office on September 4, 1992, Map No. 183-92;

**Description of Pine Tree Road Facility Realty**

**SECTION 232 BLOCK 1 LOT 7 ON THE TAX MAP OF ORANGE COUNTY**

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the Village of Monroe, Orange County, New York, bounded and described as follows:

BEGINNING at an iron found in the southerly line of Pine Tree Lane, said point being in the division line between lands now or formerly Vesilevich & Rodinkina on the east, Liber 4824 Page 48 (Lot 8), and lands to be conveyed to Crystal Run Village, Inc. on the west (Lot 7), and

RUNNING THENCE along now or formerly Vesilevich & Rodinkina South 42 degrees 22 minutes 28 seconds West 406.28 feet to a point in lands now or formerly Kopliner, Liber 3607 Page 255;

THENCE along lands now or formerly Kopliner North 36 degrees 26 minutes 02 seconds West 133.83 feet to a point;

THENCE still along the aforementioned North 34 degrees 34 minutes 09 seconds West 170.00 feet to a point in lands now or formerly Correa, Liber 3901 Page 283 (Lot 6);

THENCE along lands now or formerly Correa North 53 degrees 11 minutes 50 seconds East 251.86 to a point;

THENCE still along the aforementioned North 13 degrees 22 minutes 28 seconds East 114.23 feet to a point in the southerly line of Pine Tree Lane;

THENCE along the southerly line of Pine Tree Lane South 46 degrees 37 minutes 32 seconds East 312.13 feet to the BEGINNING POINT.

Description of Jacobs Road Facility Realty

SECTION 6 BLOCK 1 LOT 24.3 ON THE TAX MAP OF ORANGE COUNTY

ALL that plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Minisink, Orange County, New York, bounded and described as follows:

BEGINNING at a point on the westerly line of Jacobs Road, said point being in the division line between lands now or formerly Moskal on the south, Liber 4653 Page 321 (Lot 2), and lands to conveyed to Crystal Run Village of the north (Lot 3), and

1. RUNNING THENCE along land or formerly Moskal North 46 degrees 17 minutes 49 seconds West, through iron pipes found on line at 97.2 feet and 207.7 feet, respectively, for a total distance of 419.62 feet to an iron pipe found in lands now or formerly Whitford Revocable Living Trust, Liber 3711 Page 47; :

2. THENCE along lands now or formerly Whitford Revocable Living Trust North 44 degrees 27 minutes 20 seconds East 218.00 feet to an iron pipe found in lands now or formerly Lombardo, Liber 4677 Page 247 (Lot 4);

3. THENCE along lands now or formerly Lombardo South 43 degrees 48 minutes 36 seconds East 414.76 feet to a point in the westerly line of Jacobs Road;

4. THENCE along the westerly line of Jacobs Road South 42 degrees 55 minutes 00 seconds West 178.63 feet to a point;

5. THENCE still the aforementioned South 43 degrees 52 minutes 00 seconds West 21.37 feet to the BEGINNING POINT.

REFERENCE: Being Lot No. 3 shown on map entitled, "Whitford Farm" filed in Orange County Clerk's Office April 11, 1988, Map No. 8810.

## Description of Route 208 Facility Realty

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### SECTION 7 BLOCK 1 LOT 99.1 ON THE TAX MAP OF ORANGE COUNTY

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ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Hamptonburgh, Orange County, New York, bounded and described as follows:

BEGINNING at a point in the westerly line of State Highway Route No. 208, said point being in the division line between lands now or formerly Santagata on the south, Liber 5135 Page 1 (Lot 2) and lands to be conveyed to Crystal Run Village, Inc., on the north (Lot 1); and

RUNNING THENCE the following courses and distances along lands now or formerly Santagata:

1. North 59 degrees 43 minutes 00 seconds West 133.61 feet to a point;
2. THENCE North 51 degrees 41 minutes 00 seconds West 191.89 feet to a point;
3. THENCE North 12 degrees 32 minutes 00 seconds West 298.68 feet to a point in Parcel No. 1412 Marcy South Transmission Facilities Right-of-Way;
4. THENCE along lands now or formerly Parcel No. 1412 Marcy South Transmission Facilities Right-of Way South 80 degrees 28 minutes 30 seconds East 200.77 feet to a point;
5. THENCE still along the aforementioned South 65 degrees 06 minutes 00 seconds East 349.70 feet to a point in the westerly line of State Highway Route No. 208;
6. THENCE along the westerly line of State Highway Route No. 208 South 31 degrees 48 minutes 00 seconds West 350.00 feet to the BEGINNING POINT.

REFERENCE: Being a portion of Lot 1 as shown on Pinjani Subdivision Map, filed in Orange County Clerk's Office on July 21, 1999 as Map No. 186-99.



## **Description of Depot Street Facility Realty**

### **SECTION 2 BLOCK 1 LOT 33.21 ON THE TAX MAP OF ORANGE COUNTY**

~~ALL that plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Crawford, Orange County, New York, bounded and described as follows:~~

BEGINNING at the centerline of an existing right-of-way, said point being in the division line between lands now or formerly Moriano on the south, Liber 2187 Page 42, lands now or formerly Moriano on the west, Liber 2786 Page 10, Liber 2185 Page 218, Liber 2061 Page 708, and Liber 1584 Page 257, and lands to be conveyed to Crystal Run Village, Inc., on the north, and

1. RUNNING THENCE along the centerline of an existing right-of-way and lands now or formerly Moriano North 19 degrees 51 minutes 20 seconds West 106.88 feet to a point;

2. THENCE still along the aforementioned North 14 degrees 12 minutes 25 seconds West 29.06 feet to a point;

THENCE the following courses and distances along lands now or formerly Town of Crawford Sewer District No. 1, Liber 2239 Page 228:

3. North 75 degrees 47 minutes 35 seconds East 35.00 feet to a point;

4. THENCE North 14 degrees 12 minutes 25 seconds West 60.00 feet to a point;

5. THENCE South 75 degrees 47 minutes 35 seconds West 35.00 feet to a point in the centerline of an aforementioned right-of-way and lands now or formerly Moriano;

6. THENCE along said right-of-way and lands or formerly Moriano North 14 degrees 12 minutes 25 seconds West 11.87 feet;

7. THENCE still along the aforementioned North 17 degrees 55 minutes 25 seconds West 32.14 feet to a point in lands now or formerly Pine Bush Properties, Inc., Liber 5114 Page 121;

Description of Depot Street Facility Realty (continued)

8. THENCE along Pine Bush Properties, Inc., North 67 degrees 51 minutes 11 seconds East 442.85 feet to an iron rod found in lands now or formerly Moriano, Liber 2187 Page 42;

9. THENCE along lands now or formerly Moriano South 46 degrees 50 minutes 49 seconds East 229.08 feet to a point found in a large oak tree;

10. THENCE still along the aforementioned South 64 degrees 42 minutes 40 seconds West 560.00 to the BEGINNING POINT.

REFERENCE: Being Lot 1 of Subdivision Map Prepared for Susan Block, filed in Orange County Clerk's Office on July 2, 1993, Map No. 116-93.

**Description of Arcadia Road Facility Realty**

**SECTION 18 BLOCK 1 LOT 12 ON THE TAX MAP OF ORANGE COUNTY**

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Goshen, Orange County, New York bounded and described as follows:

BEGINNING at a point in the centerline of Arcadia Road, said point in the division line between lands now or formerly Mulligan on the south Liber 2754 Page 304 and lands to be conveyed to Crystal Run Village, Inc. on the north; and

1. RUNNING THENCE along the centerline of Arcadia Road North 48 degrees 13 minutes 00 seconds East 300.00 feet to a point in lands now or formerly Gerasolo Liber 2145 Page 175;
2. THENCE through Arcadia Road along lands now or formerly Gerasols South 41 degrees 45 minutes 18 seconds East 362.02 feet to an iron pipe found in lands now or formerly Mulligan;
3. THENCE along lands now or formerly Mulligan South 46 degrees 14 minutes 00 seconds West 300.00 feet to an iron pipe set;
4. THENCE still along lands now or formerly Mulligan and through Arcadia Road North 41 degrees 47 minutes 00 seconds West 372.40 feet to the BEGINNING POINT.

**Description of Lexington Drive Facility Realty**

**SECTION 26 BLOCK 10 LOT 14 ON THE TAX MAP OF ORANGE COUNTY**

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange and State of New York, as shown on a map filed in the Orange County Clerk's Office as Filed Map 9960, entitled "Subdivision Plat Orchard Meadows Subdivision," filed on July 8, 1990 and designated as Lot 26, more particularly bounded and described as follows:

BEGINNING at a point on the southerly line of Lexington Drive, said being the northwest corner of Lot 6 on a certain map entitled, "Subdivision Plat Orchard Meadows Subdivision," dated June 3, 1988, last revised December 29, 1988, prepared by Richard G. Bargar and filed in the Office of the Orange County Clerk on July 8, 1990 as Filed Map No. 9960, said lot also being the herein described parcel;

THENCE along the Lexington Drive south 68 degrees 35 minutes 51 seconds east 141.00 feet to the northeast corner of said Lot 6 and the northwest corner of Lot 5 on said Filed Map No. 9960;

THENCE along the division line between said Lot 6 and said Lot 5 south 22 degrees 18 minutes 17 seconds west 405.36 feet to a point on the northerly line of Lot 10 as shown on a map filed in the Orange County Clerk's Office as Filed Map 91-93;

THENCE along said Lot 10 in part and Lot 9 in part also shown on said Filed Map 91-93, north 65 degrees 24 minutes 00 seconds west 142.00 feet to the southwest corner of the herein described parcel and the southeast corner of said Lot 7 as shown on said Filed Map No. 9960;

THENCE north 22 degrees 26 minutes 05 seconds west 397.45 feet to the point or place of BEGINNING.